

PATENT: **Mail Stop AF** Customer No. 22,852 Attorney Docket No. **5725.0927-00** 

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

	In re	Applica	ation of:		
Serge RESTLE et al.			STLE et al.	) Group Art Unit: 1617	
	Application No.: 09/890,805			) Examiner: Criares, Theodore J.	
	Filed: August 3, 2001			) )	
	For:		ERGENT COSMETIC POSITIONS AND USE	) ) Confirmation No.: 6749 )	
ē.	Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			Mail Stop AF	
Э	NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31 Sir:				
		Applicants hereby appeal to the Board of Appeals from the decision dated			
	July 22, 2004 of the Examiner.				
	The items checked below are appropriate:				
	1.	<ul> <li>A Petition for a one-month extension of time to respond to the final rejection was filed on November 22, 2004, extending the period for response to November 22, 2004.</li> <li>A Petition for extension of time to further extend the period for response to January 22, 2005, is enclosed together with a fee of \$910.00.</li> <li>The Appeal Fee of \$500.00 (or \$250.00 if by small entity)</li> </ul>			
	2.				
	3.				
		is enclosed or □ is to be charged to Deposit Account No. 06-0916			
	4.	☑ A check for \$1410.00 to cover the above fees is enclosed.			
01/25/2005	MAHMED1	00000116 09890805			

500.00 DP

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Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: January 21, 2005

Debarshi Rahul Das Reg. No. 55,100

> Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. Customer No. 22,852